

GENERAL LEAVE

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 834, as amended, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

SANCTUARIES AND RESERVES ACT
OF 1999

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1243) to reauthorize the National Marine Sanctuaries Act, as amended.

The Clerk read as follows:

H.R. 1243

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sanctuaries and Reserves Act of 1999".

TITLE I—NATIONAL MARINE
SANCTUARIESSEC. 101. AMENDMENT OF NATIONAL MARINE
SANCTUARIES ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

SEC. 102. FINDINGS; PURPOSES AND POLICIES.

(a) FINDINGS.—Section 301(a) (16 U.S.C. 1431(a)) is amended—

(1) in paragraph (2) by inserting "cultural, archaeological," after "educational,";

(2) in paragraph (4) by inserting "as national marine sanctuaries" after "environment";

(3) in paragraph (5) by inserting "of national marine sanctuaries managed as the National Marine Sanctuary System" after "program"; and

(4) in paragraph (6) by striking "special areas" and inserting "national marine sanctuaries".

(b) PURPOSES AND POLICIES.—Section 301(b) (16 U.S.C. 1431) is amended—

(1) in paragraph (1) by inserting before the semicolon at the end the following: ", and to manage these areas as the National Marine Sanctuary System"; and

(2) in paragraph (4) by inserting before the semicolon at the end the following: "and of the natural, historical, cultural, and archaeological resources of the National Marine Sanctuary System".

SEC. 103. DEFINITIONS.

Section 302 (16 U.S.C. 1432) is amended as follows:

(1) Paragraph (2) is amended by striking "Magnuson Fishery" and inserting "Magnuson-Stevens Fishery";

(2) Paragraph (6) is amended by striking "and" after the semicolon at the end of subparagraph (B), and by adding after subparagraph (C) the following:

"(D) the cost of curation and conservation of archaeological, historical, and cultural sanctuary resources; and

"(E) the cost of enforcement actions undertaken by the Secretary for the destruction or loss of, or injury to, a sanctuary resource";

(3) Paragraph (7) is amended by inserting "including costs related to seizure, for-

feiture, storage, or disposal arising from liability under section 312" after "injury" the second place it appears.

(4) In paragraph (8) by inserting "cultural, archaeological," after "educational,".

(5) In paragraph (9) by striking "Fishery Conservation and Management".

(6) By striking "and" after the semicolon at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting a semicolon, and by adding at the end the following:

"(10) 'person' means any individual (whether or not a citizen or national of the United States), any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State), and any Federal, State, local, or foreign government or any entity of any such government; and

"(11) 'System' means the National Marine Sanctuary System established by section 303.".

SEC. 104. ESTABLISHMENT OF NATIONAL MARINE
SANCTUARY SYSTEM; SANCTUARY
DESIGNATION STANDARDS.

(a) ESTABLISHMENT OF NATIONAL MARINE SANCTUARY SYSTEM.—Section 303 (16 U.S.C. 1433(a)) is amended by striking the heading for the section and all that follows through "(a) STANDARDS.—" and inserting before the remaining matter of subsection (a) the following:

"SEC. 303. NATIONAL MARINE SANCTUARY
SYSTEM.

"(a) ESTABLISHMENT OF SYSTEM; SANCTUARY DESIGNATION STANDARDS.—There is established the National Marine Sanctuary System, which shall consist of national marine sanctuaries designated by the Secretary in accordance with this title."

(b) SANCTUARY DESIGNATION STANDARDS.—Section 303(b)(1) (16 U.S.C. 1433(b)(1)) is amended by striking "and" at the end of subparagraph (H), by striking the period at the end of subparagraph (I) and inserting a semicolon, and by adding at the end the following:

"(J) the area's value as a site for marine resources monitoring and assessment activities; and

"(K) the value of the area as an addition to the System."

(c) REPEAL.—Section 303(b)(3) (16 U.S.C. 1433(b)(3)) is repealed.

SEC. 105. PROCEDURES FOR SANCTUARY
DESIGNATION AND IMPLEMENTATION.

(a) SUBMISSION OF NOTICE OF PROPOSED DESIGNATION TO CONGRESS.—Section 304(a)(1)(C) (16 U.S.C. 1434(a)(1)(C)) is amended to read as follows:

"(C) no later than the day on which the notice required under subparagraph (A) is submitted to Office of the Federal Register, the Secretary shall submit a copy of that notice and the draft sanctuary designation documents prepared pursuant to section 304(a)(2), including an executive summary, to the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Governor of each State in which any part of the proposed sanctuary would be located."

(b) SANCTUARY DESIGNATION DOCUMENTS.—(1) IN GENERAL.—Section 304(a)(2) (16 U.S.C. 1434(a)(2)) is amended to read as follows:

"(2) SANCTUARY DESIGNATION DOCUMENTS.—The Secretary shall prepare and make available to the public sanctuary designation documents on the proposal that include the following:

"(A) A draft environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(B)(i) A resource assessment report documenting present and potential uses of the

area proposed to be designated as a national marine sanctuary, including commercial and recreational fishing, research and education, minerals and energy development, subsistence uses, and other commercial, governmental, or recreational uses.

"(ii) The Secretary, in consultation with the Secretary of the Interior, shall draft and include in the report a resource assessment section regarding any commercial, governmental, or recreational resource uses in the area under consideration that are subject to the primary jurisdiction of the Department of the Interior.

"(iii) The Secretary, in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator, shall draft and include in the report a resource assessment section that includes any information on past, present, or proposed future disposal or discharge of materials in the vicinity of the area proposed to be designated as a national marine sanctuary. Public disclosure by the Secretary of such information shall be consistent with national security regulations.

"(C) A draft management plan for the proposed national marine sanctuary that includes the following:

"(i) The terms of the proposed designation.

"(ii) Proposed mechanisms to coordinate existing regulatory and management authorities within the proposed sanctuary.

"(iii) The proposed goals and objectives, management responsibilities, resource studies, and appropriate strategies for managing sanctuary resources of the proposed sanctuary, including interpretation and education, research, monitoring and assessment, resource protection, restoration, enforcement, and surveillance activities.

"(iv) An evaluation of the advantages of cooperative State and Federal management if all or part of the proposed sanctuary is within the territorial limits of any State or is superjacent to the subsoil and seabed within the seaward boundary of a State, as that boundary is established under the Submerged Lands Act (43 U.S.C. 1301 et seq.).

"(v) The proposed regulations referred to in paragraph (1)(A).

"(D) Maps depicting the boundaries of the proposed sanctuary.

"(E) The basis of the findings made under section 303(a)(2) with respect to the area.

"(F) An assessment of the considerations under section 303(b)(1).

"(G) An estimate of the annual cost to the Federal Government of the proposed designation, including costs of personnel, equipment and facilities, enforcement, research, and public education."

(2) CONFORMING AMENDMENT.—Section 302(1) (16 U.S.C. 1432(1)) is amended by striking "304(a)(1)(C)(v)" and inserting "304(a)(2)(C)".

(c) TERMS OF DESIGNATION.—Section 304(a)(4) (16 U.S.C. 1434(a)(4)) is amended in the first sentence by inserting "cultural, archaeological," after "educational,".

(d) WITHDRAWAL OF DESIGNATION.—Section 304(b)(2) (16 U.S.C. 1434(b)(2)) is amended by inserting "or System" after "sanctuary" the second place it appears.

(e) FEDERAL AGENCY ACTIONS AFFECTING SANCTUARY RESOURCES.—Section 304(d) (16 U.S.C. 1434(d)) is amended by adding at the end the following:

"(4) FAILURE TO FOLLOW ALTERNATIVE.—If the head of a Federal agency takes an action other than an alternative recommended by the Secretary and such action results in the destruction or loss of or injury to a sanctuary resource, the head of the agency shall promptly prevent and mitigate further damage and restore or replace the sanctuary resource in a manner approved by the Secretary."